THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.23918 of 2006

17.11.2006

Between:

Dr. Dayanand Rao

..Petitioner

And

Assistant Engineer Operation, APCPDCL, Sec-71, Lal Bazar, Secunderabad. and another.

..Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.23918 of 2006

ORDER:

The petitioner herein is the owner of a Flat bearing No.202 in an apartment block known as 'Tirmal Sherayan Apartments' situated at Trimulgherry, in premises bearing No.3-11-140. According to him, he is a regular payer of the electricity consumption charges to the respondents. However, the respondents sent a letter, dated 24.10.2006, to the petitioner's address demanding a sum of Rs.51,658/- towards electricity dues. The letter was sent to the petitioner under an assumption that he is a resident of premises bearing No.3-11-140. He contends that he purchased a Flat. He has nothing to do with Mr.J.Johnny or the entire premises No.3-11-140. Therefore, the petitioner contends that the action is arbitrary.

Learned counsel for the petitioner stick to the position, as revealed in the affidavit accompanying the Writ Petition. The Writ Petition is opposed by the learned Standing Counsel for Andhra Pradesh Transmission Corporation placing reliance on Condition 14.6 of General Terms and Conditions of Supply of Central Power Distribution Company of Andhra Pradesh Limited (CPDCL), which reads as under.

> 14.6.1 Complaints in respect of non-receipt of electricity bills or receipt of erroneous bills shall be lodged by the consumer/ his authorized representative in the office specified in the Designated Officers' Notification giving the details of name, address, consumer number and brief description of the complaint. The complaint shall be lodged by the consumer in writing.
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> 14.6.2.1 The Designated Officer shall resolve the billing complaints within the timeframe specified in the 'Standards of Performance' Regulation.

As per the delegation of powers, in a case of a billing dispute in respect of Low Tension Category is concerned, the Divisional Engineer (DE) (Operation) is the Designated Officer. Therefore, a week's time is granted to the petitioner to approach the DE (Operation), CPDCL. As and when, such complaint is made, the Designated Officer shall dispose of the same as expeditiously as possible, keeping in view the 'Standards of Performance' Regulation.

If the petitioner makes a compliant, as indicated hereinabove, within the time stipulated, *Status quo* shall continue.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

17.11.2006

GJ